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**ATTORNEY FOR PLAINTIFF**  
**UNITED STATES OF AMERICA**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**GREAT FALLS DIVISION**

<b>UNITED STATES OF AMERICA,</b>  <b>Plaintiff,</b>  <b>vs.</b>  <b>GENEVA MARIE NADEAU,</b>  <b>Defendant.</b>	<b>CR 18-82-GF-BMM</b>  <b>BRIEF IN SUPPORT OF MOTION</b> <b>FOR PRELIMINARY ORDER OF</b> <b>FORFEITURE</b>
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The United States of America has filed an unopposed motion for a preliminary order of forfeiture. In support of that motion, the United States sets forth the following facts:

1. On November 5, 2018, the Defendant pleaded guilty to Count I of the

Indictment, which charges aggravated sexual abuse, in violation of 18 U.S.C. §§ 1153(a) and 2241(c). Nadeau also admitted the forfeiture allegation in the Indictment, which contemplates the forfeiture of her right, title, and interest in the below-referenced property. *See also* 18 U.S.C. § 2253(a).

2. A Preliminary Order of Forfeiture is necessary in order for the FBI, or the United States Marshals Service, to seize the following property, which is subject to forfeiture:

- Samsung model SM-T310 Galaxy Tablet – SN RF2DB2EA3AD;
- SanDisk 4 GB micro SD card;
- Samsung 16 GB micro SD card (installed);
- Samsung 16 GB micro SD card;
- SanDisk 32 GB micro SD card; and,
- LG cellular telephone IMEI – SN 358402087062937.

3. The evidence set forth in the Offer of Proof filed by the government, in conjunction with Nadeau's Plea Agreement and entry of guilty plea, provide an ample basis for an order of forfeiture in accordance with 18 U.S.C. § 2253(a).

4. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, the Court may enter a Preliminary Order of Forfeiture after a verdict has been returned containing a finding that property is subject to criminal forfeiture or if a defendant enters a guilty plea subjecting property to such forfeiture. Rule 32.2 does not

require the Court to await sentencing in order to commence the ancillary proceeding by entering its Preliminary Order of Forfeiture.

5. Upon issuance of a Preliminary Order of Forfeiture, the United States will provide written notice to all third parties asserting a legal interest in any of the above-described property and will post on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, of the Court's Preliminary Order and the United States' intent to dispose of the property in such manner as the Attorney General may direct, pursuant to 18 U.S.C. § 924(c)(1)(A) and 21 U.S.C. § 853(n)(1).

Accordingly, the United States respectfully requests that this Court enter a preliminary order forfeiting to the United States Nadeau's interest in the property described above and ordering the United States Marshals Service and FBI to seize the forfeited property pending the adjudication of any third-party claims and then to dispose of it in accordance with the law.

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DATED this 2nd day of January, 2019.

KURT G. ALME  
United States Attorney

/s/ Ryan G. Weldon  
RYAN G. WELDON  
Assistant U.S. Attorney

### **CERTIFICATE OF COMPLIANCE**

Pursuant to local rule, I hereby certify that the foregoing document is proportionately spaced, has a typeface of 14 points or more, and the body of the brief contains 581 words.

DATED this 2nd day of January, 2019.

/s/ Ryan G. Weldon

RYAN G. WELDON

Assistant U.S. Attorney